

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of:

Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands)	WT Docket No. 03-66
)	RM-10586
)	
)	
)	WT Docket No. 03-67
Part 1 of the Commission's Rules - Further Competitive Bidding Procedures)	
)	
)	MM Docket No. 97-217
Amendment of Parts 21 and 74 to Enable Multipoint Distribution Service and the Instructional Television Fixed Service Amendment of Parts 21 and 74 to Engage in Fixed Two-Way Transmissions)	
)	
)	WT Docket No. 02-68
Amendment of Parts 21 and 74 of the Commission's Rules With Regard to Licensing in the Multipoint Distribution Service and in the Instructional Television Fixed Service for the Gulf of Mexico)	RM-9718
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)	

TO: The Commission

**REPLY COMMENTS OF
THE SCHOOL BOARD OF
MIAMI-DADE COUNTY, FLORIDA**

The School Board of Miami-Dade County, Florida ("School Board") submits the following reply comments in response to parties seeking to remove the educational reservation for the ITFS spectrum and to permit educators to sell ITFS stations to commercial operators.

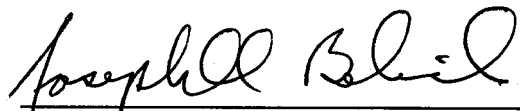
The School Board submits that educators using the ITFS spectrum did not build their systems for profit purposes. Rather these systems were constructed to further their educational objectives. Many systems were constructed with public funds from local tax payers and from the Public Telecommunications Facilities Program administered by the U.S. Department of

Commerce's National Telecommunications and Information Administration.

Unlike commercial entities, ITFS licenses do not need an "exit strategy" to realize gains for their investors. ITFS stations are a valuable educational tool. Removing the educational reservation for these stations will price them beyond the reach of the public and private educational entities which presently employ them. While this would provide ITFS licensees an exit strategy, it would deprive educators of an ITFS entry strategy in the future.

Congress has adopted policies favoring the delivery of public telecommunications services to as many citizens as possible by the most efficient and economical means, including the use of non-broadcast technology. See eg. 47 USC § 390 and 47 USC §396 (a) (2). The non-broadcast technology used to meet this congressionally mandated objective is the ITFS service. The removal of the non-commercial educational restrictions on ITFS would be contrary to the intention of Congress as expressed in Sections 390 and 396 of the Communications Act of 1934, as amended.

Respectfully submitted,



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